

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHWEST DIVISION

ENERPLUS RESOURCES (USA) )  
CORPORATION, a Delaware corporation, )  
Plaintiffs, ) Case No.1:16-CV-00103  
VS. )  
WILBUR D. WILKINSON, an individual; )  
THE THREE AFFILIATED TRIBES; )  
THE FORT BERTHOLD TRIBAL )  
DISTRICT COURT; THE MHA NATION )  
SUPREME COURT; REED SODERSTROM,)  
an agent for Wilbur D. Wilkinson, and )  
ERVIN J. LEE, an individual. )

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ERVIN J. LEE, an individual )  
Third Party, Plaintiff, )  
Vs. )  
WILBUR D. WILKINSON, an individual; )  
THE THREE AFFILIATED TRIBES; )  
THE FORT BERTHOLD TRIBAL )  
DISTRICT COURT; THE MHA NATION )  
SUPREME COURT; REED SODERSTROM,)  
an individual )  
Third Party, Defendants. )

**MOTION FOR PRELIMINARY INJUNCTION  
AND AN ORDER REQUIRING DEFENDANT SODERSTROM  
TO DEPOSIT MONEY INTO COURT**

Defendant, Ervin J. Lee, acting *pro se*, (“Lee”), hereby moves the Court for a preliminary injunction prohibiting the District Court for the Three Affiliated Tribes from exercising jurisdiction over any dispute arising under or related to the Settlement Agreement, the ORRI Assignment, the Wilkinson Division Order, Lee Division Order and/or related transactions. The Settlement Agreement, the ORRI Assignment, the Wilkinson Division Order and the Lee

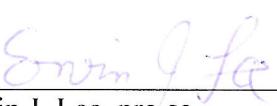
Division Order contain forum selection clauses providing the state and federal courts of North Dakota with exclusive jurisdiction over any disputes arising from or related to such Agreements and thus, the Tribal Court does not have jurisdiction to hear the case currently pending before it.

Additionally, Lee moves the Court to order Defendant Soderstrom to deposit the nearly \$5,000,000.00 of overriding royalty income (“ORRI Funds”) into the Court pending final resolution of this matter. In support of this Motion, Plaintiff directs the Court to the attached Memorandum in Support of Motion and supporting documentation.

WHEREFORE, Lee respectfully requests that the Court grant its motion for a preliminary injunction prohibiting the District Court for the Three Affiliated Tribes from exercising jurisdiction over disputes arising under or related to the Settlement Agreement, the ORRI Assignment, the Wilkinson Division Order, the Lee Division Order and/or related transactions and for an order requiring Defendant Soderstrom to deposit the Excess Money into the Court pending final resolution of this matter, and for such other and further relief as the Court deems just and equitable.

Date: July 21<sup>st</sup>, 2016

Respectfully submitted,

  
Ervin J. Lee, pro se  
224 8<sup>th</sup> St SE  
Minot, ND 58701  
Cell: 701-721-3851  
Email: [ejlee3851@gmail.com](mailto:ejlee3851@gmail.com)